

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

THE GILLETTE COMPANY LLC,	:	
	:	
Plaintiff,	:	
	:	
v.	:	C.A. No. 15-1158-LPS-CJB
	:	
DOLLAR SHAVE CLUB, INC., et al.,	:	
	:	
Defendants.	:	

MEMORANDUM ORDER

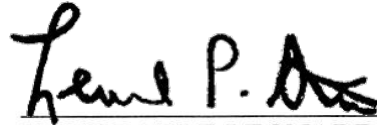
Having reviewed the parties' proposals (D.I. 754), IT IS HEREBY ORDERED that the Court will provide the following preliminary instruction, as well as an appropriate final jury instruction:

The asserted claims of the '513 Patent require, among other things, a hard coating layer and an overcoat layer. The hard coating and overcoat must be separate layers. However, the hard coating and overcoat layers need not have compositional differences, nor need they be formed by a change in deposition process.

In determining whether the accused products or prior art satisfy these layer limitations, you may consider a variety of factors, including but not limited to: the morphology or structure of the layer(s), the presence of a boundary between layers, whether the process used to make the product is expected to result in one or more layers, and whether there is a sufficient change in composition or morphology as to result in one or more layers.

Ultimately, it is for you to determine how many layers the accused products or any prior art embodiments or reference contain.

March 22, 2019
Wilmington, Delaware

A handwritten signature in black ink, appearing to read "Leonard P. Stark", written over a horizontal line.

HONORABLE LEONARD P. STARK
UNITED STATES DISTRICT JUDGE